

AFFIDAVIT

1. **Affiant/Agent.** I, Michael Pochatek, am a Special Agent with Homeland Security Investigations (HSI), assigned to the Grand Forks, North Dakota office. I have been employed as a Special Agent since 2018.
2. **Arrest and Investigation of Jose CHAVEZ-Ramirez.** On February 4, 2025, CHAVEZ-Ramirez was the subject of a traffic stop conducted by the Grand Forks Police Department (GFPD). During the traffic stop, CHAVEZ-Ramirez presented GFPD with an identification card from Mexico and could not readily prove lawful status to be in the United States. GFPD contacted the United States Border Patrol (USBP) regarding CHAVEZ-Ramirez's status. USBP confirmed CHAVEZ-Ramirez was a citizen of Mexico, was removed from the United States on a prior occasion and was considered inadmissible. USBP could not respond to the traffic stop citing manpower issues.

On February 5, 2025, USBP notified HSI Grand Forks of the incident involving CHAVEZ-Ramirez and provided his address, 310 2nd Ave. S., Grand Forks, North Dakota.

HSI Grand Forks conducted research regarding CHAVEZ-Ramirez's immigration status and determined CHAVEZ-Ramirez is a citizen of Mexico and on March 9, 2016, was removed from the United States (expedited removal) in accordance with INA 212a7Aii, immigrant without an immigrant visa, at Laredo, Texas.

On March 29, 2016, CHAVEZ- Ramirez was again apprehended in the United States and was determined to be inadmissible. On June 10, 2026, CHAVEZ-Ramirez was removed from the United States by reinstatement of the prior removal order, at Hidalgo, Texas.

On February 19, 2025, HSI Grand Forks conducted surveillance at 310 2nd Ave. S., Grand Forks, North Dakota. At approximately 6:00 AM, an individual matching CHAVEZ-Ramirez's description was seen exiting the residence at 310 2nd Ave. S. and entering the passenger seat of a black Ford Focus with a Texas registration. The GFPD conducted a traffic stop on the vehicle and received identification from the driver and passenger. The passenger provided the officer a Mexico Consular ID Card in the name of Jose Concepcion CHAVEZ-Ramirez.

HSI agents arrived at the location of traffic stop and HSI Resident Agent in Charge (RAC) Litzinger spoke with CHAVEZ-Ramirez in Spanish. CHAVEZ-Ramirez stated that he was a citizen of Mexico and admitted that he did not have lawful authorization to be in the United States. HSI agents took CHAVEZ-Ramirez into custody. While in custody agents confirmed CHAVEZ-Ramirez's identity through biometrics.

On February 19, 2025, HSI agents conducted a post Miranda Warning interview with CHAVEZ-Ramirez utilizing a telephonic Spanish translation service. CHAVEZ-Ramirez again confirmed he is a citizen of Mexico and was born in Irapuato, Guanajuato, Mexico.

CHAVEZ-Ramirez confirmed that he was deported on a prior occasion and has not applied for permission to reenter the United States. In late 2021, CHAVEZ-Ramirez entered the United States without inspection on foot near Mexicali, California with the help of a guide. CHAVEZ-Ramirez claimed no fears in being returned to Mexico.

CHAVEZ-Ramirez is currently in the custody at the Grand Forks County Correctional Center (GFCCC) on an immigration detainer.

- 3. Criminal History.** A review of the NCIC (National Crime Information Center) records revealed no criminal convictions.

In my experience, the above facts constitute a violation of 8 U.S.C. § 1326(a).

The foregoing is true and correct to the best of my knowledge and belief.



Michael Pochatek
Special Agent

Sworn before me this 21st day of February 2025, in Grand Forks and Fargo, North Dakota, by reliable electronic means.



Alice R. Senechal
United States Magistrate Judge